

00-0176

(Do Not Write Above This Line)

A RESOLUTION BY:

CITY UTILITIES COMMITTEE

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A LOCAL GOVERNMENT PROJECT AGREEMENT BETWEEN THE CITY OF ATLANTA AND THE GEORGIA DEPARTMENT OF TRANSPORTATION FOR THE MAINTENANCE OF TEMPORARY STATE ROUTES AT SECTIONS OF SPRING STREET AND MARTIN LUTHER KING, JR., DRIVE.

ADOPTED BY

FEB 21 2000

COUNCIL

- ☐ CONSENT REFER
☐ REGULAR REPORT REFER
☐ ADVERTISE & REFER
☐ 1st ADOPT 2nd READ & REFER
☐ PERSONAL PAPER REFER

Date Referred

Referred To:

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee _____
Date _____
Chair _____
Referred to _____

Committee <i>City Utilities</i>	Committee _____
Date <i>2-15-00</i>	Date _____
Chair <i>Clay Dwyer</i>	Chair _____
Action: Fav, Adv, Hold (see rev. side)	Action: Fav, Adv, Hold (see rev. side)
Other: _____	Other: _____
Members <i>21. c. McCarly</i> <i>James M. H. H.</i> <i>William S. H.</i>	Members _____
Refer To _____	Refer To _____

Committee _____	Committee _____
Date _____	Date _____
Chair _____	Chair _____
Action: Fav, Adv, Hold (see rev. side)	Action: Fav, Adv, Hold (see rev. side)
Other: _____	Other: _____
Members _____	Members _____
Refer To _____	Refer To _____

FINAL COUNCIL ACTION

☐ 2nd ☐ 1st & 2nd ☐ 3rd
Readings
☒ Consent ☐ V Vote ☐ RC Vote

CERTIFIED

CERTIFIED

FEB 21 2000

Dan M. Starns
COUNCIL PRESIDENT PROTEM

CERTIFIED

FEB 21 2000

Rachel Douglas Johnson
MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

FEB 29 2000

MAYOR



A RESOLUTION BY
CITY UTILITIES COMMITTEE

AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT FOR MAINTENANCE AGREEMENT BETWEEN THE CITY OF ATLANTA AND THE GEORGIA DEPARTMENT OF TRANSPORTATION FOR THE MAINTENANCE OF TEMPORARY STATE ROUTES AT SECTIONS OF SPRING STREET AND MARTIN LUTHER KING, JR. DRIVE.

WHEREAS, the City of Atlanta desires certain bridge replacement improvements at sections of Spring Street and Martin Luther King, Jr. Drive and has entered into a Local Government Project Agreement with Georgia Department of Transportation for the construction of the said improvements by Georgia Department of Transportation; and

WHEREAS, the City of Atlanta has been notified by the Georgia Department of Transportation that the sections of Spring Street and Martin Luther King, Jr. Drive are being temporarily designated as State Routes 999 and 999TA in order to accomplish said improvements by Georgia Department of Transportation; and

WHEREAS, it is the desire of the Georgia Department of Transportation and the City of Atlanta that said sections of streets will be properly maintained for the benefit of citizens wishing to utilize said facilities for transportation purposes; and

WHEREAS, the City of Atlanta has indicated a willingness to provide for maintenance of said sections of streets while they are temporarily on the State Highway System as well as after improvements are completed; and

WHEREAS, the City of Atlanta agrees that it shall at all times indemnify and hold harmless the Georgia Department of Transportation from any and all responsibility for damages or liability, or both arising from the maintenance of said sections of streets.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

Section 1: That the Mayor be and is hereby authorized to enter into an appropriate Contract for Maintenance of the sections of Spring Street and Martin Luther King, Jr. Drive while temporarily designated as State Routes 999 and 999TA.

Section 2: That the City Attorney be and is hereby directed to prepare an appropriate contractual agreement in cooperation with the Department of Public Works, for execution by the Mayor, to be approved by the City Attorney as to form.

Section 3: That this agreement shall not become binding on the City and the City shall incur no liability upon same until such agreement has been executed by the Mayor and delivered to the Georgia Department of Transportation and countersigned by that Party.

CONTRACT FOR MAINTENANCE OF HIGHWAYS**NUMBERED 3231M**

THIS AGREEMENT made and entered into this _____ day of _____, 1999, by and between the Department of Transportation of Georgia (hereinafter called the Department) and the Mayor and City Council of Atlanta (hereinafter called the City) to be effective on the _____ day of _____, 1999.

WITNESSETH:

WHEREAS, the City of Atlanta has been notified that sections of Spring Street and Martin Luther King Jr. Drive (Atlanta City Streets 358603 and 90403) are being added to the State Highway System by an Order of the Commissioner numbered 3231 and temporarily designated as State Routes 999 and 999TA until scheduled improvements are completed; and

WHEREAS, the Department and the City agree that it will be advantageous to all parties hereto, as well as to the traveling public, for the City to continue to fully maintain the sections of Spring Street and Martin Luther King Jr. Drive while they are temporarily on the State Highway System as well as after improvements are completed; and

WHEREAS, all parties hereto are acting under the authority of the Constitution of the State of Georgia, Article IX, Section III, paragraph I (1983).

Continued....

PAGE TWO OF THREE

NOW THEREFORE, in consideration of the sum of One Dollar by each of the parties to the other in hand paid, the receipt whereof is hereby acknowledged, and the mutual covenants herein contained, the parties hereto agree as follows:

- (1) The City will continue to fully maintain, as may be required by law for city streets, within its respective jurisdiction and within the limits of rights-of-way of the sections of Spring Street and Martin Luther King Jr. Drive (Atlanta City Streets 358603 and 90403) while temporarily designated as State Routes 999 and 999TA. Said sections of roadway are shown on the attached sketch map marked "Exhibit A" which by reference is incorporated herein and made a part of this instrument for purpose of describing the road to be maintained under this agreement.
- (2) To the extent authorized by law, the City agrees to indemnify and hold harmless the Department from all suits, claims for damages, or causes of action brought on account of the City's failure to perform those maintenance activities required by this contract as associated with the aforementioned temporary State Routes.
- (3) The Department shall provide written notice to the City as to the date that temporary State Routes 999 and 999TA are removed from the State Highway System and the date of final termination of this contract.

Continued....

PAGE THREE OF THREE

IN WITNESS WHEREOF, this instrument has been and is executed on behalf of the Department by the Deputy Commissioner of the Department; and on behalf of the City of Atlanta by its Mayor, he being duly authorized to do so by the City Council of said City.

This on the date and year below written.

Executed on behalf of the
Department this _____
day of _____, 1999.

Executed on behalf of the
City of Atlanta this _____
day of _____, 1999.

By: _____
Deputy Commissioner,
Georgia Department
of Transportation

By: _____
Mayor, City of Atlanta

APPROVED:

ATTEST:

Chief Engineer,
Georgia Department of
Transportation

Clerk, City of Atlanta

ATTEST:

Treasurer, Georgia
Department of Transportation



3231M

RESOLUTION

GEORGIA, City of Atlanta

WHEREAS, the Mayor and City Council of Atlanta (hereinafter called the City) is being notified that the Georgia Department of Transportation (hereinafter called the Department) intends to temporarily add sections of Spring Street and Martin Luther King Jr. Drive (Atlanta City Streets 358603 and 90403) to the State Highway System as State Routes 999 and 999TA; and

WHEREAS, the City and the Department agree that it is in the public interest and in the interest of both parties hereto, for the City and the Department to enter into a contract numbered 3231M, wherein the City will agree to continue to fully maintain the aforementioned sections of city streets while on the State Highway System.

NOW, THEREFORE, IT IS RESOLVED by the City Council of said City that their Mayor is hereby authorized to execute said contract on behalf of the City and that a copy of this resolution be furnished to the Department.

This on the date and year below written.

Executed on behalf of the City of Atlanta this ____ day of _____, 1999.

Mayor, City of Atlanta

Attest: _____
Clerk, City of Atlanta

RCS# 1771
2/21/00
2:37 PM

Atlanta City Council

Regular Session

CONSENT AGENDA PAGES (1 - 9)

ADOPT

YEAS: 15
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 0

SEE ATTACHED LISTING OF
ITEMS ADOPTED/ADVERSED
ON CONSENT AGENDA

Y McCarty	Y Dorsey	Y Moore	Y Thomas
Y Starnes	Y Woolard	Y Martin	Y Emmons
Y Bond	Y Morris	Y Maddox	Y Alexander
Y Winslow	Y Muller	Y Boazman	NV Pitts

ITEMS REMOVED FROM
CONSENT AGENDA

00-O-0122
00-O-0123
00-R-0202
00-R-0020

00-O-0212 - Councilmember
Boazman Abstained

**ITEMS ADOPTED ON
CONSENT AGENDA**

1. 99-O-2072
2. 99-O-2073
3. 00-O-0127
4. 00-O-0124
5. 00-O-0126
6. 00-O-0066
7. 00-O-0125
8. 00-O-0211
9. 00-O-0212 *
10. 00-O-0213
11. 00-O-0207
12. 00-R-0220
13. 00-R-0196
14. 00-R-0209
15. 00-R-0180
16. 00-R-0176
17. 00-R-0174
18. 00-R-0145
19. 00-R-0146
20. 00-R-0147
21. 00-R-0148
22. 00-R-0149
23. 00-R-0150
24. 00-R-0151
25. 00-R-0152
26. 00-R-0153
27. 00-R-0154
28. 00-R-0155
29. 00-R-0156
30. 00-R-0157
31. 00-R-0158
32. 00-R-0159
33. 00-R-0160

**02/21/00 Council Meeting
ITEMS ADVERSE ON
CONSENT AGENDA**

34. 00-R-0161
35. 00-R-0162
36. 00-R-0163
37. 00-R-0164
38. 00-R-0165
39. 00-R-0166
40. 00-R-0167
41. 00-R-0168
42. 00-R-0169
43. 00-R-0170
44. 00-R-0171
45. 00-R-0172
46. 00-R-0173
47. 00-R-0175

* Councilmember Boazman
abstained from voting on item 00-
O-0212.